



RECEIVED TOWN CLERK
GRAFTON, MA

2021 SEP 13 AM 11:45

Grafton Affordable Housing Trust
30 Providence Road
Grafton, MA 01519

Meeting Minutes
Grafton Affordable Housing Trust
Thursday, August 12, 2021

A meeting of the Grafton Affordable Housing Trust was held at 7:45 PM on August 12, 2021, in Conference Room A of the Grafton Memorial Municipal Center. In attendance: Chair Bruce Spinney, Clerk Dan Cusher, Mathew Often, Ed Priby (remote). Absent: Treasurer Elisabeth Haynes, Dan Crossin, Eric Swenson. Staff in attendance: Chris McGoldrick. Guests in attendance: None. Mr. Spinney called the meeting to order at 7:52 PM.

1. Action Items

- a. Reorganization of Officers, to include Treasurer and Clerk as well as discussion of duties
 - Mr. Spinney shared his thoughts on the Trust's officer roles. The Trust will need a member to be responsible for payments to vendors, consultants, etc. Trust members could rotate every 3 or 4 months to give everyone a chance to learn about it. Staff will likely write and mail checks, but to familiarize trust members with the faces and names of everyone the Trust interacts with in the Municipal Center, it would help for Trust members to do it. This would also provide continuity across turnover; these projects take years to complete, while Trust member terms are only 2 years, so this will help the Trust have stability of policy. Reliance on staff is also not ideal. so the clerk's responsibility will be to coordinate posting agendas, minutes, meeting materials, etc. Mr. Spinney would like to rotate that across members as well. Mr. Spinney doesn't think there's much of a need for a Vice Chair, that Mr. Cusher can remain as Clerk for now without needing a motion, but would like to consider Treasurer. Ms. Haynes is the current treasurer but not present.
 - Mr. Cusher asked if the Trust should move forward with appointing a Treasurer at this meeting or wait to get Ms. Haynes's thoughts. Mr. Spinney would like to wait. Mr. Cusher agreed.
 - Mr. Spinney clarified that the Treasurer's role will be growing as Trust activity increases and will consist of a larger range of duties than it had for the previous year.
- b. 25 Worcester St - Project update and strategy
 - Mr. Spinney gave an update. Mr. Spinney spoke with Counsel about the deed restriction. Counsel said the actual Town Meeting warrant article is attached to the deed, which restricts the deed to the language in the warrant article, specifically the requirement that the land be used for senior housing. In order to have such age restricted affordable units to count toward the Town's Subsidized Housing Inventory (SHI) the Trust would need to demonstrate a disproportionate need for senior housing

Grafton Affordable Housing Trust
Meeting Minutes
August 12, 2021
Page 2

in town, which Mr. Spinney doesn't think is demonstrated by our available data. The Trust can still build senior affordable housing there, but it won't count toward SHI. It's also possible to submit another warrant article for Town Meeting to alter the original warrant article and remove the restriction on the deed. There's no time restriction or sunset on the warrant article, so it will continue to belong to the Trust unless the Trust decides to give it back to the Town. Mr. Spinney said there are also other properties the Trust could focus on and leverage 25 Worcester Street against.

- Mr. Prisby said DHCD wants to see some evidence that the community a Trust is seeking to serve, Grafton's seniors in this case, is in fact disadvantaged, because they don't want to allow discrimination against other age groups. Mr. Prisby feels that, given the updates on Upton St and Pine St, maybe SHI isn't as important for 25 Worcester St as it was a year ago, and suggested that the Trust could do fewer units there and concentrate on other things. Mr. Prisby said that once the Trust decides a direction to go in, then the Trust can talk about designs and proposals, including elements of architecture and fitting into the neighborhood, but the Trust isn't there yet.
 - Mr. Cusher said that with 8 Pine St and recent updates for 17 Upton St, if the Trust can negotiate the affordable units at 17 Upton St to 25%, that would put the Town's SHI above 10%, at least until the new numbers are calculated from the 2020 Census and possibly after that as well. Mr. Cusher said this would free up the Trust to think more creatively and not focus on optimizing SHI. Mr. Cusher thinks it makes sense to focus on working with GSX to get to 25% affordable at 17 Upton St and put 25 Worcester St on pause.
 - Mr. Often asked where the Trust would look for ideas of what to do at 25 Worcester St. Mr. Spinney said there's the HPP but he was told it's not sufficient to justify senior housing counting toward SHI, though he's not clear on why. Mr. Spinney asked Mr. McGoldrick what would be sufficient. Mr. McGoldrick said he wasn't sure either and would reach out to DHCD. Mr. McGoldrick believes there's an argument to be made, considering that many seniors have fixed incomes and their population in the region is growing. Mr. Spinney agrees that, without reasonable confidence that these units will count toward SHI, the Trust should focus on other opportunities that can more reliably get the Town to 10% SHI.
- c. 53 Millbury St AKA Hudson Ave Project - Updates and strategy for acquisition
- Mr. Spinney gave a summary on the history of the Trust looking into this property in previous years. The Trust did some survey work and ended up stopping when a warrant article from the 1960s was found, designating the land for use as a cemetery. Mr. Spinney said it's at a good intersection, the grades are good, it's walkable, and there are egresses through other neighborhoods, so it's a great place for a residential development. Mr. Spinney wants to revisit this as the Trust is talking about other properties, as this is a much more ideal location than 25 Worcester St. It would take a

Grafton Affordable Housing Trust
Meeting Minutes
August 12, 2021
Page 3

new Town Meeting warrant article retracting the 1960s article and another one conveying the land to the Trust, as well as another article allowing the Cemetery Commission to commission a study on where else to put a cemetery in town. The Trust can put forward warrant articles on its own but Mr. Spinney feels it would be much better to go to the Select Board and work collaboratively with them. Mr. Spinney said the Trust would need an actionable item for the September meeting, and thus meet with the Select Board before then. Mr. Spinney thinks it's doable but will require help from other Trust members.

- Mr. Often said he's in support, that the Select Board understands the housing crisis and is supportive as well.
- Mr. Cusher said it sounds good.
- Mr. Prisby said the Trust is going to run into the same stumbling blocks as last time regarding cemetery capacity, so the Trust should find a way to address that, but otherwise it sounds good. Mr. Spinney said the Cemetery Commission will probably have to go before the Select Board as well to ask for that. Mr. Spinney said that last time, the chief concern was that the property wasn't deeded over to the Cemetery Commission, just designated for their use as a cemetery, and some time in the next 30 years or so that capacity will be needed for the cemetery. However, Mr. Spinney said no additional work was done to see what other locations in town are suitable for a cemetery. Mr. Spinney believes there's sufficient property on the town's books to find something, and they have a couple decades to find it. The Trust will need to draft the warrant articles and hold a couple outreach meetings to talk about it, as well as meet with the Cemetery Commission.

d. Meeting Minutes

- **Mr. Cusher moved to accept the minutes for meetings on June 3, 2020, May 20, 2021, July 22, 2020, and July 15, 2020, as presented. Mr. Often seconded. Motion passed unanimously by roll call.**

e. GSX Projects (17 Upton St, 8 Pine St) - Update on communication with GSX and strategy and negotiation of possible assistance

- Mr. Spinney said conversations with GSX about 17 Upton have taken a long time because GSX wanted to get their bid awarded by the Select Board before having serious discussions around affordable units. 8 Pine is already 25% affordable so there's not much for the Trust to do. 17 Upton is the old DPW, across from the library and fire station. The GSX proposal is going to have 4 stories, stacked parking, and retail on the ground level.
- Mr. Spinney said the current proposal includes 10% affordable units. Mr. Spinney asked GSX for some of their financials so they could discuss negotiations. GSX gave proposals for 10%, 20%, and 25% affordable, with varying amounts of assistance provided by Town. Reaching 25% would cause all 100% of their rental units to count toward SHI. If that were to happen, in addition to the units at 8 Pine St, Grafton

Grafton Affordable Housing Trust
Meeting Minutes
August 12, 2021
Page 4

would end up with more than 10% SHI. This gives the Town a lot more ability to dictate terms for 40B comprehensive permits more easily. Mr. Spinney said the Town's master plan said buildout for the community is 30,000 whereas the town is currently at 20,000, so it's good to be able to dictate the terms as the Town could after hitting 10%. There are a lot of things to negotiate, including a very significant amount of money, as well as TIF. TIF is on the town side, which the Trust can't really help with because the Trust doesn't have much ongoing revenue, but the Trust can pay money for soft costs. It will take 3 to 5 years to get through the system and will take a considerable amount of work. Mr. Spinney is open to ideas on how to approach the negotiation, for example with a subcommittee to do the due diligence and report back to the Trust. Mr. Spinney said he's currently doing around 6 to 10 hours per week and this is going to create more work on top of that so he's going to need more active help from other Trust members. Mr. Spinney asked Trust members to submit ideas to him to discuss at the next meeting.

- Mr. Prisby pointed out that this is the sort of project the Trust has been waiting 15 years for. Mr. Prisby feels that this is an easier way to go than 25 Worcester or Hudson Ave. Mr. Prisby doesn't know if the Trust wants to discuss negotiation in public session with GSX watching. Mr. Spinney said the Trust might be able to do some in executive session. Mr. Often doesn't think that's allowed. Mr. Spinney said Mr. Often is probably right but will check with counsel.
 - Mr. Often said, regarding how much of the Trust's funds to offer, the Trust should discuss what the goal and vision of the Trust is more broadly. Mr. Spinney agreed, but said in the past the Trust has never had a project like this that the Trust could actively work with. This is much more collaborative than some conversations with other developers that the Trust has had in the past.
 - Mr. Spinney said the timeline is probably 18 months, with the permitting and closing taking about a year.
 - Mr. Spinney said a lot of communities will handle it like a grant program, and there's not really any way for the Trust to recoup funds. The Trust got the Pulte money because it was a settlement but 8 Pine St is different. Mr. Cushner asked if that's because Pulte was a 40B and 8 Pine St is not. Mr. Spinney and Mr. McGoldrick were unsure if 8 Pine St is a 40B and will check on that.
- f. Mr. Spinney asked if any meeting attendees wanted to speak about 25 Worcester St.
- Ron Warwick, 32 Worcester St. Mr. Warwick asked if Mr. Prisby is officially an appointed member of Trust. Mr. Spinney said yes. Regarding possibly going back to Town Meeting to remove the deed restriction, Mr. Warwick said he had submitted a warrant article to take back ownership of the property from the Trust and was ruled out of order, and suspects a warrant article to remove the deed restriction would be treated the same. Mr. Spinney said removing the restriction is allowed for Town Meeting because Town Meeting would be altering Town Meeting's own warrant

Grafton Affordable Housing Trust
Meeting Minutes
August 12, 2021
Page 5

article - in other words, the property doesn't belong to the Town so Town Meeting can't dictate ownership, but Town Meeting has the authority to remove the deed restriction Town Meeting previously set. For Upton St, Mr. Warwick asked if that is a 40B project. Mr. McGoldrick said it's not - the proposal at this time fits local zoning. Mr. Warwick asked if they're required to do any affordable units at all. Mr. McGoldrick said they're required to do 10% according to the local zoning. Mr. Warwick asked if the Trust's Counsel is going to be at the meeting for questions. Mr. Spinney said questions will go through the chair, so they can be submitted to Mr. Spinney to be answered later. When the Trust gets deeper into some projects the Trust will want Counsel in the meeting to answer questions.

- Justin Hollander, 4 Hillside Ave. Mr. Hollander said he's pleased to hear support for a possible 8 units on 25 Worcester St. He wants to reiterate support for that, which he expressed months earlier. Mr. Hollander also noted that Habitat for Humanity is interested in that site. Mr. McGoldrick said he was in contact with Habitat and their capacity is for 3 units per year, so this is larger than what they're used to. Mr. McGoldrick said they might be interested in taking on a portion of the project. Mr. Spinney added that it took a lot longer than some people in the community wanted to wait, but it was always Mr. Spinney's intention to bring Habitat in to talk with the Trust. Mr. Spinney spoke with them and another possibility for 25 Worcester St is to phase something in over a few years. Mr. Spinney also noted that there are other properties in town where we could utilize Habitat.
- Carolyn Jakubiak, 18 Sartell Rd. Mrs. Jakubiak said she listened to the Select Board meeting and said they were saying the neighbors around 25 Worcester St are only interested in their own homes and don't want affordable housing. She said she and husband are both social workers and have worked on affordable housing, and they want affordable housing at 25 Worcester St but they want elderly housing, as was voted at Town Meeting, and for it to fit into the neighborhood and fit into the Town center.

2. Discussion Items

a. Outreach programs and strategy

- Mr. Spinney said the Trust had a situation where outside influences wanted to have meetings to move 25 Worcester St forward. Mr. Spinney didn't want to get into it too much but said that the Trust should be open to outreach and approachable for people who want meetings. One caveat is it should be on the Trust's own terms. Now that the Trust has a dedicated night each month, it will be easier for people to get into a meeting with the Trust and get on the agenda.
- Mr. Spinney said it's important for individual Trust members to have confidence in what the Trust is doing. There were five or six candidates for a recent vacancy on the Trust which is great, but when a new person joins they don't know the people or the stages of projects and the Trust needs to get them onboarded. Mr. Spinney wants to

Grafton Affordable Housing Trust
Meeting Minutes
August 12, 2021
Page 6

talk about how the Trust gets to that point where there's good onboarding. Does the Trust need a handbook, policies, methodology, etc. to pass off as terms turn over? Two year terms are not long in the developer world, for example the GSX project will still be going on in two years.

- **Mr. McGoldrick noted at this point that Mr. Prisby had left the meeting, thus there was no longer a quorum. The Trust continued informal discussion without any votes.**
- Mr. Cusher suggested that the best way to avoid repeating the confusion around the proposed outreach meeting might be for the Trust to be proactive and let people know our policy on outreach
- Mr. Often said if the Trust had been more mature in its public engagement process, this would have been taken care of. If the Trust designated someone to handle public engagement it would get taken care of much better. Mr. Often compared it to the Land Trust, how they have a Facebook page and are very active on it. Mr. Often suggested getting a Facebook page, utilizing the Town's website more, having information meetings for people to hear updates on things like where the Trust is with SHI, and going on GCTV. Mr. Spinney said the Trust is in the process of utilizing some capital to get an administrative assistant who could take a lot of that on. Jen Goldson can also come in and participate in outreach meetings and foster relationships.

b. Upcoming meeting material

- Mr. Spinney said he's usually pretty good at emailing the Trust members about what they want on the agenda and wants to make sure everyone has a voice. Mr. Spinney said lack of continuity, but not quality of personnel or their work, has been disruptive for the Trust, so setting up Zoom meetings and posting agendas should move under Trust member responsibilities.

c. Questions for Trust Counsel

- Mr. Spinney will take questions to Counsel, asked if Trust members have any. No one did. Mr. Spinney said he'll work together with Counsel as chair.

3. Adjournment

- a. **Mr. Often moved to adjourn. Mr. Cusher seconded. Motion passed.**

Approved by the Affordable Housing Trust: September 9, 2021